

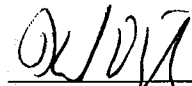
DEKALB COUNTY COURTS
LOCAL RULE AMENDMENT


IN THE MATTER OF)
COUNTY LOCAL RULE)
LR17-AR-15-4)

ORDER FINDING GOOD CAUSE TO ADOPT A LOCAL COURT RULE AT
TIME OTHER THAN ESTABLISHED SCHEDULE

Come now the Judges of the DeKalb Circuit and Superior Courts, pursuant to Trial Rule 81(D), and find good cause exists to deviate from the schedule established by the Division of State Court Administration for publishing local rules. And we further find that the local rule on Court Reporter Services published at LR17-AR14-4 should be amended as indicated in the attached document. It will be effective after it has been posted for thirty (30) days in the county clerk's office and on the county clerk's website, if any, and on the Indiana Judicial Website, and upon approval of the Indiana Supreme Court. And, thereafter, the bar and the public will have an opportunity for comment pursuant to Trial Rule 81(B)(1).

Dated this 31st day of December, 2007.


Kirk D. Carpenter
Judge, DeKalb Circuit Court


Kevin P. Wallace
Judge, Superior Court I


Monte L. Brown
Judge, DeKalb Superior Court II

LR17 AR 7-3 Court Reporter Services:

Court Reporter services shall be governed by the following rules:

(A) **Definitions:** The following definitions shall apply under this rule:

- (1) **A COURT REPORTER** is a person who is specifically designated by a Court to perform the official court reporting services for the Court including preparing a transcript of the record.
- (2) **EQUIPMENT** means all physical items owned by the Court or other governmental entity and used by a Court Reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
- (3) **WORK SPACE** means that portion of the Court's facilities dedicated to each Court Reporter, including but not limited to actual space in the courtroom and any designated office space.
- (4) **PAGE** means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) **RECORDING** means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) **REGULAR HOURS WORKED** means those hours which the Court is regularly scheduled to work during any given work week. Depending on the particular Court, these hours may vary from Court to Court within the county but remain the same for each work week.
- (7) **GAP HOURS WORKED** means those hours worked in excess of the regular hours worked but hours not in excess of forty (40) hours per week.
- (8) **OVERTIME HOURS WORKED** means those hours worked in excess of forty (40) hours per work week.
- (9) **WORKWEEK** means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year, i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

- (10) **COURT** means the particular Court for which the Court Reporter performs services. Court may also mean all of the Courts in DeKalb County.
- (11) **COUNTY INDIGENT TRANSCRIPT** means a transcript that is paid for from County funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
- (12) **STATE INDIGENT TRANSCRIPT** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
- (13) **PRIVATE TRANSCRIPT** means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

(B) Salaries And Per Page Fees:

- (1) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular working hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours, i.e. monetary compensation or compensatory time off regular work hours.
- (2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be ~~\$3.00~~ \$3.50; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be ~~\$3.00~~ \$3.50.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be ~~\$3.00~~ \$3.50.
- (5) If a Court Reporter is requested to prepare an expedited transcript, the maximum fee per page shall be \$5.00 where the transcript must be prepared within five (5) working days.
- ~~(5)~~ (6) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

(C) **Private Practice:**

A Court Reporter shall not be allowed to use court equipment, work space, or supplies nor regular employment hours, gap hours, or overtime hours to engage in the private practice of recording a deposition and/or preparing a deposition transcript.